

below and receive the corresponding density bonus. The maximum total of all density bonuses used shall not exceed the maximum net density permitted herein for the underlying zoning district applicable to the property. Quality construction standards implemented by the subdivider shall be noted as a requirement on the final plat. Allowable density bonuses include the following:

1. 0.1 bonus density units per net usable acre for each additional ten percent of the dwellings constructed with all sides brick above the minimum siding requirements hereunder.
2. 0.1 bonus density units per net usable acre if eighty percent or more of the dwellings in the subdivision are built with front porches a minimum of ten feet in length by six feet in width.
3. 0.05 bonus density units per net usable acre for an additional one hundred square feet increase in the minimum dwelling floor space required for the development, but the total amount of bonuses for this enhancement shall not exceed 0.25 bonus density units.
4. 0.1 bonus density units per net usable acre for installation of traffic calming devices appropriately located throughout the development such as speed tables (but not humps/bumps) and/or landscaped roundabouts.
5. 0.1 bonus density units per net usable acre for an additional entrance and exit onto a paved public street of collector designation or greater, but the total amount of density bonuses for this enhancement shall not exceed 0.1 bonus density units.

K. Miscellaneous Provisions.

1. In the event of a conflict between this section and any other ordinance or code provision, the terms of this section shall control.
2. Failure to comply with any of the requirements set forth in this section will entitle the city or its designee to suspend any and all permits issued concerning the development, including building permits, to issue a stop-work order, and to take other measures designed to ensure compliance with this section, to the extent provided by law. (Ord. 04-06-036 § 1)

17.04.080 Fencing.

Section 3-7-79 as adopted by Henry County is repealed by the city of Locust Grove and replaced with this section.

A. Applicability. This section shall apply only to any development which requires final plat approval, even if the final plat has not been approved as of the adoption date of the ordinance codified in this section.

B. Definitions. For purposes of this section, the following terms shall have the meaning prescribed, unless the context clearly indicates otherwise:

“City” means the city of Locust Grove, Georgia.

“Fence” means any structure, including walls, constructed or erected to provide a barrier, either physical or visual, for the purpose of protecting property, providing for security and privacy, and properly containing activities on the property.

“Fence height” means the vertical dimension from the natural ground level to the top of the fence measured at any point along the length of the fence.

“Front yard” means that area from the rear building line to the road or street in front of the primary structure.

C. General Standards.

1. No privately owned fence shall be installed within any public street right-of-way or within any city-owned area.

2. No fence shall be installed so that, in the opinion of the city manager, it obstructs vision at any street intersection, or in any way creates a hazard to traffic.

3. No fence shall be installed so that, in the opinion of the fire chief, it prevents or unduly restricts access to property for emergency purposes.

4. If a fence is designed so that its structural supports are primarily on one side, that side must always be toward the interior of the property.

5. If a fence is required by any governmental authority to provide for the safety and security of the residents of the city, that fence shall not be removed or otherwise left in an unsafe condition for any reason without the approval of the city manager, and without proper precautions being taken to provide for continuous protection.

6. It shall be the responsibility of the owner of the property on which a fence is located to maintain that fence in good and proper repair so that at all times, it presents a neat and orderly appearance to surrounding property owners and to the general public.

7. Any fence damaged by accident or an act of God shall be properly repaired within ninety days of occurrence. Fencing required for public safety purposes shall be repaired immediately.

D. Construction Standards.

1. All fences shall be constructed of brick, cedar, cypress, rod iron, vinyl or chainlink. In the event the fence is constructed of chainlink, all exposed metal parts must be vinyl-coated or painted a standard dark brown, dark green or black color to blend into the natural surroundings.

2. No fence or portion of a fence shall exceed eight feet in height; however, if a property owner wishes to install a tennis court, pool or some other similar special-purpose facility, a fence not to exceed twelve feet in height may be erected.

3. No fence installed in a residential front yard shall be constructed to a height in excess of four feet of chainlink, or in a fashion that restricts the view through such fence by more than fifty percent of the total barrier as viewed from the street.

E. Temporary Fence. The city manager may permit the installation of a temporary fence of material not otherwise allowed under this section at a construction site, if it is felt that the fence would be necessary to protect the public safety or would be necessary to provide proper security for the site. A temporary fence shall remain in place for no more than one year and must comply with the following conditions:

1. Temporary fences shall not exceed six feet in height if located within any setback area;

2. No signs shall be attached to any temporary fence.

F. Enforcement.

1. The city is responsible for the enforcement of this section.

2. If a suspected violation is reported, it will be investigated by the code enforcement officer.

3. If it is determined that a violation has occurred, the city shall notify the property owner of the violation as well as the steps that should be taken to correct the violation.

4. If the property owner does not agree to take immediate action to correct the violation, the city shall take any action as provided by law, including the issuance of a citation, to promptly and properly correct the violation.

5. A property owner may request a variance as provided in Section 3-7-273.
 6. If a fence is legally existing at the time of the enactment of this section, it shall continue to be allowed to exist as a nonconforming use, but must still be properly maintained.
 7. If a nonconforming fence is substantially damaged or is allowed to fall into a state of disrepair, it shall be required to either be removed or brought into conformance with this section.
 8. No nonconforming fence shall be extended in any way except as permitted by this section.
- G. Penalties.
1. A violation of this section shall constitute a misdemeanor punishable by a fine of up to one thousand dollars and/or a sentence of up to thirty days incarceration per day per occurrence. Nothing herein shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violations. Replacement shall also be required.
 2. Upon notice from the city manager, work on any development that is being done contrary to the provisions of this section shall immediately cease. The stop-work notice shall be in writing and shall go to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. When an emergency exists, the city manager shall not be required to give written notice prior to stopping the work. Further, in the event that work on any development is being done contrary to the provisions of this section, the city manager may revoke any permit pertaining to the development activity for which the permit has been issued and may refuse to issue any further permit until, at the discretion of the city manager, the work on the development is brought into compliance with the provisions of this section. (Ord. 04-07-047 § 2)

17.04.090 Residential growth regulation.

A. Purpose and Intent. In addition to the following statements, the preamble of this section is incorporated herein by reference. The Atlanta Regional Commission ("ARC") 2003 Population and Housing Report identifies Henry County as the fastest growing county in the metro-Atlanta Region overseen by ARC. Henry County has grown at a rate of seven percent per year between the years 2000 and 2003. Atlanta's burgeoning southeastern population growth follows the path of U.S. Interstate 75 ("I-75") through Henry County. The city of Locust Grove ("City") is located in Henry County on I-75. Although the city sits on the boundary of the ARC planning region, it has experienced and is expected to continue to experience increased residential growth.

According to such report, single-family housing has continued to dominate the market over the past three years while multifamily housing developments have increased at significant rates in particular areas. Areas where multifamily development continues to grow is where land is located outside the perimeter of U.S. Interstate 285 ("I-285") and in close proximity and with good accessibility to interstates and highways. The city is located outside the I-285 perimeter and is bisected by I-75 and Georgia State Highway 42.

As indicated in ARC's report, multifamily growth is occurring in the city at a rapid rate. The report correctly states that as of the close of 2003, the city's housing stock consisted of approximately seventy percent single-family housing with the remainder in the form of mobilehomes. These percentages, however, do not reflect the approximately one thousand multifamily units to be developed as a result of rezonings approved in 2003.

